

Rob Gibson MSP

Convener - Rural Affairs, Climate Change
and Environment Committee

c/o Clerk to the Committee

Room T3.40

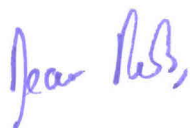
The Scottish Parliament

Edinburgh

EH99 1SP

Ar faidhle/Our ref: POL/17518

1st November 2013



The Litter (Fixed Penalties) (Scotland) Order 2013

I write to advise the Committee of my intention to raise the litter Fixed Penalty Notice (FPN) fine from £50 to £80, and the flytipping FPN from £50 to £200. The increases are to be in place for 1 April 2014.

As the Committee will recall, the Scottish Government sought public and stakeholder views within '*Towards a Litter-Free Scotland: Consultation on a strategy to tackle and prevent litter and flytipping*', during the summer. The consultation asked for views on a number of proposals to prevent litter and flytipping, including using Environmental Protection Act 1990 powers to raise the litter and Flytipping FPN levels.

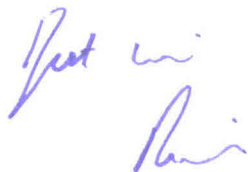
A majority of those who responded to the consultation were in favour of increasing the fixed penalties. I will, therefore, now proceed with this action to help tackle litter and flytipping.

The new SSI is designed to:

- strengthen the deterrent effect recognising that the £50 level was set around a decade ago and inflation has eroded its value;
- reduce the gap between cost to the public purse of enforcement action and the income from Fixed Penalty Notices; and
- introduce a higher level for flytipping, to recognise that it has the potential to significantly harm the environment, and that there are greater clean-up costs associated with it.

To give local authorities sufficient time to prepare for the FPN increases, the Scottish Government will have the required Order made and laid within the next few days.

Yours sincerely



RICHARD LOCHHEAD